

Notice of Allowability

Application No.

09/851,039

Examiner

Majid A Banankhah

Applicant(s)

MEIRI, DAVID

Art Unit

2127

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 009/07/04.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☒ The drawings filed on 08 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/17/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

MAJID BANANKHAH
PRIMA EXAMINER

Examiner's Statement of Reason For Allowance

1. The prior art of record does not teach nor fairly suggest a method, system, of selecting a receiving processor and selecting a resource on the basis of a stochastic property of that resource. The method of the invention selects resources probabilistically, using estimates of the current, or present values of the stochastic property for each of the available resources. Of particular interest in this invention is determining a score for that resource on the basis of a stochastic property of the resource and then designing an interval corresponding to the resource. The extent of that interval is selected to depend on the score for that resource. A random number is then generated and that resource is selected if the random number falls within the interval defined for that resource.

The problem of selecting a receiving processor and selecting a queue are examples of the more general problem of selecting resource. The execution adaptor selects a queue by first assigning a score to each queue. It does so by weighting the estimate of the queue length for each queue with the priority assigned to that queue. The result is referred to as the "effective queue-length" for that queue. The execution-adaptor then sums the effective queue-length for all queues and defines a sampling interval having an extent equal to that sum. The execution-adaptor then divides the sampling interval into as many queue-interval as there are queues. Each queue-interval has an extent that corresponds to the effective queue-length of the queue with which it is associated. In this invention, the extent of each queue-interval is the effective queue-length normalized by the extent of the sampling interval.

Art Unit: 2127

Conclusion:

3. The cited prior art of record lacks sufficient scope and implementation detail to fairly teach or suggest the combination of limitations claimed in the instant invention when the claimed means are interpreted in light of Applicant's specification, in accordance with the mandatory examination procedures set forth under M.P.E.P., §2181 C (7th Edition, revised Feb. 1, 2000).

Any comments considered necessary by Applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Applicant is reminded that any change to the order, numbering or substance of the drawing must be accompanied by a corresponding amendment to the specification reflecting the changes set forth in the formal drawing.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Majid A. Banankhah** whose telephone number is (571) 272-3770. The examiner can normally be reached on Monday – Thursday, 8:00 AM – 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756.

Information regarding the status of an application may be obtained from the patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Majid A. Banankhah

1/5/05


MAJID BANANKHAH
PRIMARY EXAMINER